**2023-2024 EPA Diesel Emissions Reduction Act (DERA) State Grants**

 **Notice of Intent to Participate (NOIP)**

To: EPA Office of Transportation and Air Quality
From: [State or Territory Name][[1]](#footnote-2),[[2]](#footnote-3) [State or Territory Environmental Commissioner or Authorized official]

Re: Notice of Intent to Participate in the 2023-2024 DERA State Grants

Date: [Date]

**GENERAL INFORMATION**

The state or territory of [State or Territory Name] submits this 2023 *Notice of Intent to Participate* (NOIP) that is due by **Friday, July 21, 2023,** to **DERA@epa.gov**. This Notice identifies plans for submitting an application to receive 2023-2024 funding through the DERA State Grants.

Allowable activities are described in the Diesel Emissions Reduction Act of 2010 (DERA), 42 USC 16131 *et seq.* and the 2023-2024 DERA State Grants Program Guide found here: [www.epa.gov/dera/state](http://www.epa.gov/dera/state)*.* All projects funded with 2023 and 2024 State Grant funds, mandatory cost-share, and voluntary match (as applicable) must meet all eligibility requirements described in the Program Guide.[[3]](#footnote-4)

**Participating states and territories will receive 2023 State Grant funds as a new grant agreement. States and territories that also choose to participate in the 2024 State Grants will receive 2024 State Grant funds as supplemental amendments to the existing 2023 DERA State Grants. States and territories that do not participate in the 2023 DERA State Grants that choose to participate in the 2024 DERA State Grants will receive funding under a new grant agreement.** Unless EPA has approved an extension, any state or territory with an open 2022 or earlier DERA State Grant must ensure that the period of performance for the previous grant ends by September 30, 2023, to receive fiscal year 2023 funding. A request to extend the period of performance for a previous award and also receive a new award will be evaluated and approved by the EPA Regional program office on a case-by-case basis.[[4]](#footnote-5) Approval is dependent on the status of the project and unexpended funds, the ability to complete the project in less than 6 months, and the impact of the extension on the 2023-2024 workplan. **States and territories interested in extending the period of performance for a previous award should inform their regional Project Officer and program contacts as soon as possible.**

 **CONTACT INFORMATION – Please fill in the following table:**

|  |  |  |
| --- | --- | --- |
|  | **Programmatic Contact** | **Financial Contact** |
| **Name:** |  |  |
| **Title:** |  |  |
| **Department/Office:** |  |  |
| **Email:** |  |  |
| **Phone:** |  |  |
| **Mailing Address:** |  |  |

**FUNDING ALLOCATION**

The State or Territory understands that EPA allocates DERA State Grant funds to participating States and Territories using the formula outlined at 42 USC 16133(c) and that the allocated amount depends on the amount that is Congressionally appropriated and the number of participating states and territories.

For 2023 funds, if all 50 states, the District of Columbia, Puerto Rico, and all territories participate in the DERA State Grants, then each state, the District of Columbia, and Puerto Rico will receive a base allocation of 1.887 percent of 2/3 of 2023 funds for the State Grants (approximately $373,585). The territories[[5]](#footnote-6) will receive a base allocation of 0.472 percent of 2/3 of 2023 funds for the State Grants (approximately $93,396). If fewer states and territories participate, the base allocation amount to each state and territory will be greater.

As of [insert date of NOIP release], Congress has not yet appropriated fiscal year 2024 funds and therefore EPA does not know the amount available for 2024 DERA State Grant funds. EPA predicts the appropriated amount for 2024 will be similar to the amount for 2023. Once the 2024 funds have been appropriated to EPA, EPA will then follow the allocation method discussed above.

EPA anticipates notifying states and territories of their final funding amounts by **Tuesday, July 26, 2023**. States, including D.C. and Puerto Rico, that elect to match the entire DERA State Grants base amount will be awarded an additional amount (bonus) of approximately $186,792 for fiscal year 2023 funds and $186,792 for fiscal year 2024. Territories that elect to match the entire DERA State Grants base amount will be awarded an additional amount (bonus) of approximately $46,698 for fiscal year 2023 and $46,698 for fiscal year 2024. The matching funds that qualify states or territories for the bonus are considered voluntary matching funds and cannot be used to cover any mandatory cost-shares under the grant. If any state or territory does not participate in the DERA State Grants, then participating states and territories will receive more than the estimated funding as dictated by the formula detailed at 42 U.S.C. 16133(c)(2)(B) and (C). If this occurs, an increased match amount will be required to receive the bonus funds. Because of this variability, we encourage states and territories to, where feasible, develop flexible work plans that can accommodate a small increase in funding over the base and bonus amounts listed above. EPA will negotiate with states and territories the final workplans and budgets once EPA notifies the states and territories of their final funding amounts.

**APPLICATION AND WORK PLAN**

The state or territory of [State or Territory Name] understands that a Work Plan and Budget Narrative and Fleet Description must be submitted to their EPA Regional Office on or before **Tuesday, August 8, 2023.** The state or territory understands that this is a noncompetitive grant program, but that work plans must be approved by EPA for states or territories to receive any funding.

EPA will email participants instructions for Work Plan and Budget Narrative and Fleet Description and any other required forms. These forms will also be posted on EPA’s website at: [www.epa.gov/dera/state](http://www.epa.gov/dera/state).

**Status of currently open DERA State GrantS**

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| --- | --- | --- | --- |
| 1. | Yes | No | Does the state or territory have one or more open 2022 or earlier DERA State Grants? If “no”, skip to question 4. |
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| --- | --- | --- | --- |
| 2. | Yes | No | Does the state or territory intend to complete all work and incur all eligible costs for any currently open 2022 or earlier DERA State Grants by September 30, 2023? If “yes”, skip to question 4. |
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| --- | --- | --- | --- |
| 3. | Yes | No | Does the state or territory intend to request a no-cost time extension beyond September 30, 2023, for any currently open 2022 or earlier DERA State Grants? If an extension has already been approved by EPA for an open 2022 or earlier DERA State Grants, indicate “Yes”. **Note**: Requests to extend previous State Grants and also receive 2023 State Grant funds will be evaluated and approved by the EPA Regional program office on a case-by-case basis. States and territories interested in extending prior year awards should inform their regional Project Officer and program contacts as soon as possible. |
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**2023 PARTICIPATION**

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| --- | --- | --- | --- |
| 4. | Yes | No | Does the state or territory intend to **accept** the DERA State Grant 2023 funding? |
|  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| 5. | Yes | No | Does the state or territory intend to match the base funding awarded, in its entirety, with voluntary matching funds for their 2023 DERA State Grant to qualify for bonus funds?Estimated Base Funding for States: $373,585Estimated Bonus Funding for States: $186,792Estimated Base Funding for Territories: $93,396Estimated Bonus Funding for Territories: $46,698 |
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**Summary of Project**

Please write a summary of the work that you intend to fund with 2023 funds:

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**2024 PARTICIPATION**

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| --- | --- | --- | --- |
| 6. | Yes | No | Does the State or Territory intend to **accept** the DERA State Grant 2024 funding? |
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|  |  |  |  |
| --- | --- | --- | --- |
| 7. | Yes | No | Does the State or Territory intend to match the base funding awarded, in its entirety, with voluntary matching funds for their 2024 DERA State Grant to qualify for bonus funds?Estimated Base Funding for States: $373,585Estimated Bonus Funding for States: $186,792Estimated Base Funding for Territories: $93,396Estimated Bonus Funding for Territories: $46,698**Note:** These estimated allocations for 2024 are based on EPA’s prediction that Congress will appropriate a funding amount for 2024 that is similar to 2023. |
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**Summary of Project**

Please write a summary of the work that the state or territory intends to fund with 2024 State Grants funds:

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**Source of Voluntary Match**

If the state or territory intends to provide a voluntary match , then please write a summary which explains the source of these matching funds (e.g., VW Environmental Mitigation Trust Funds). Please be sure to specify the intended voluntary match for fiscal year 2023 and fiscal year 2024, as applicable.

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**STATE/TERRITORY OFFICER AUTHORIZED TO ACCEPT OR DECLINE FUNDS**

|  |  |
| --- | --- |
| Signature |  |
| Name (Print) |       |
| Title |       |
| Department/Office |       |
| Phone |       |
| Email Address |       |
| Mailing Address |       |

**Please email your signed form to** **DERA@epa.gov****.**

1. *“States” include all 50 U.S. States, the District of Columbia, and the Commonwealth of Puerto Rico.* [↑](#footnote-ref-2)
2. *“Territories” include the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and Guam.* [↑](#footnote-ref-3)
3. *EPA will consider, on a case-by-case basis, waiver requests from non-threshold and non-statutory programmatic terms and conditions. \EPA must approve the waiver request prior to the state or territory conducting any work on a project involving the waiver request.* [↑](#footnote-ref-4)
4. *EPA has received feedback that many equipment sectors are experiencing supply chain issues. EPA may consider no-cost time extensions in the event that equipment has been ordered but is facing manufacturing/delivery delays.* [↑](#footnote-ref-5)
5. *Cost sharing and matching requirements under $200,000 for Insular Area applicants (the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands) are waived as a matter of law as authorized by the Omnibus Territories Act , 48 U.S.C. Section 1469a. Insular Area applicants with applications that will require a cost share of $200,000 or more are advised to contact their EPA regional office to determine if cost share requirements will be waived in whole or in part.* [↑](#footnote-ref-6)